

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**STATE FARM MUTUAL
AUTOMOBILE INSURANCE
CO. AS SUBROGEE OF
FARHEEN MINKKINEN,**

PLAINTIFF,

v.

CIVIL ACTION NO:

UNITED STATES OF AMERICA,

DEFENDANTS.

COMPLAINT

Comes now the Plaintiff, State Farm Mutual Automobile Insurance Co. as subrogee of Farheen Minkkinen, and moves for the judgment against the Defendant, the United States of America, on the grounds and in the amount set forth below:

1.

Plaintiff is a corporation registered to do business in the State of Georgia and maintains offices within the state.

2.

Plaintiff's claims against Defendant are made under the Federal Tort Claims Act, 28 USC 1346(b), for damage to property as a result of the negligent

operation of a motor vehicle by an employee of the United States of America, said negligence having occurred on April 27, 2022, in Cobb County in the State of Georgia.

3.

Plaintiff filed an administrative claim asserting its right as the subrogee of Farheen Minkkinen to recover damages against the United States under the Federal Tort Claims Act. Plaintiff's administrative claim was delivered to the United States of America. The claim has either been denied or has been left without action by the United States of America for a period greater than six (6) months.

4.

On or about April 27, 2022, Plaintiff's insured, Farheen Minkkinen, was operating a 2010 Ford Edge in the south bound direction on I 75 Reversible Toll Lanes .6 miles south of Terrell Mill Road in Cobb County of United States, State of Georgia.

5.

At the time and place described in paragraph 4 above, Zachary W. Bulliner operated a 2019 GMC Terrain owned by the United States, traveling south bound on I 75 Reversible Toll Lanes .6 miles south of Terrell Mill Road

in Cobb County Georgia.

6.

At the time and place described in paragraph 4 above, Zachary W. Bulliner was distracted and following too closely and rear-ended Plaintiff's insured, Farheen Minkkinen.

7.

At the time of the incident described in paragraphs 4 through 6 above, Zachary W. Bulliner was an employee of the United States of America and was operating the vehicle with the knowledge and consent of Defendant and in the course and scope of his employment.

8.

At the time and place set forth in paragraphs 4 through 6 above, Zachary W. Bulliner owed a duty to Plaintiff's insured to use due care in the operation of the vehicle and was required to operate said vehicle in obedience to all local traffic ordinances, the Georgia Motor Vehicle Act and the common laws of the State of Georgia.

9.

Zachary W. Bulliner breached the duties owed to Plaintiff's insured and was negligent in his operation of the government vehicle. His/her negligence

included:

- A. Failing to pay proper attention to his course of travel;
- B. Driving in a careless and reckless manner;
- C. Failing to maintain control of his vehicle;
- D. Failing to operate his vehicle at a careful and prudent speed, taking into account the traffic, surface and weather conditions existing;
- E. Following too close to the Plaintiff's insured vehicle;
- F. Operating his vehicle in a manner which endangered Plaintiff and others.

10.

The April 27, 2022 collision was caused by the negligence of Zachary W. Bulliner.

11.

That Plaintiff insured Farheen Minkkinen and made payments to Farheen Minkkinen for the property damage in the amount of \$5,112.01 pursuant to Plaintiff's Automobile Insurance Policy. Plaintiff State Farm Mutual Automobile Insurance Co. is subrogated to the rights of Farheen Minkkinen.

12.

Defendant is liable to Plaintiff for the damages in the amount of \$5,112.01 for the negligence of Zachary W. Bulliner under the provisions of the

Federal Tort Claims Act, 28 U.S.C. §1346(b).

WHEREFORE, Plaintiff respectfully demands judgment against the Defendant for the principal amount of \$5,112.01 plus court costs and post-judgment interest at the legal rate. Plaintiff further demands that a writ of Fieri Facias issue.

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